IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY SECOND DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE ELIPE DHARMA RAO

WRIT PETITION NO : 12728 of 2005

Between:

1 B.C. Labour Contract Co.op. Society Ltd. Vengalrao Nagar, New Paloncha, Khammam District,
Rep by its President T. Ramachandram.
2 B.C. Hamali Labour Contract Co-op. Society Ltd., H.No. 8-2-124, Gattaigudem, Paloncha, Khammam District,
rep by its President L. Kondala Rao
3 Priyadarshini B.C. Labour Contract Co-op. Society, Ltd., Old Paloncha, Khammam District,
rep by its President K. Vimala Devi
4 M/s Sai Teja B.C. Labour Contract Co-op. Society Ltd. Rahul Nagar, Paloncha, Khammam District
Rep by its President S. Hrusheekeshava Rao

..... PETITIONERS

AND

1 The Commissioner, Paloncha Municipality, Khammam District.
2 The Superintending Engineer, Civil O & M KTPS, Paloncha, Khammam District
3 The Superintending Engineer, O & M, Vth State, KTPS, Paloncha, Khammam District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ, order or direction more particularly in the nature of writ of mandamus declaring the action of the respondents insisting Earnest Money Deposit at the time of acceptance of tender schedules or allotment of works is illegal, arbitrary and violation of various Government orders, consequently direct the respondents not to insist payment of Earnest Money Deposit at the time of acceptance of tender schedules or allotment of works within the jurisdiction of respondent authorities and pass such other order or orders may deem fit and proper.

Counsel for the Petitioner:MR.KOONA REDDY ANJI REDDY

Counsel for the Respondents: MR.POLISETTI RADHAKRISHNA (SC FOR MPL)

The Court at the stage of admission made the following :

ORAL ORDER:

Petitioners filed this writ petition seeking to declare the action of the respondents in insisting Earnest Money Deposit at the time of acceptance of tender schedules or allotment of works is illegal, arbitrary and violation of various Government orders, and consequently to direct the respondents not to insist payment of Earnest Money Deposit at the time of acceptance of tender schedules or allotment of works.

However, today, when the matter is taken up for hearing, the learned counsel for the petitioner is not able to produce the copy of the notification purported to have been issued by the Municipality, to support his contentions though he was given sufficient time by adjourning the matter thrice. Therefore, I do not see any cause of action to entertain the writ petition.

Accordingly, the writ petition is dismissed at the stage of admission. No costs.

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kvsn 22-06-2006

To

1 The Commissioner, Paloncha Municipality, Khammam District.
2 The Superintending Engineer, Civil O & M KTPS, Paloncha, Khammam District
3 The Superintending Engineer, O & M, Vth State, KTPS, Paloncha, Khammam District.

4 Two CCs to Mr.Polisetti Radhakrishna (SC FOR Municipality

5 Two CD copies.